Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
E911 Requirements for IP-Enabled Service Providers	)	) WC Docket No. 05-196
	)	

To: The Commission

COMMENTS OF THE KING COUNTY E911 PROGRAM

I. Introduction

The following comments are provided in response to the Commission's *Notice of Proposed Rulemaking* ("*NPRM*") in the above-captioned proceeding regarding E911 Requirements for IP-Enabled Service Providers, FCC 05-116, released June 3, 2005.

King County is the largest county in Washington State with a population of 1.8 million people. The county includes the large urban city of Seattle, as well as suburban, rural, and mountainous areas. Enhanced 911 (E911) service is provided to the public through 13 Public Safety Answering Points (PSAPs). Of the two million 911 calls answered by the PSAPs in 2004, 57% of the calls were made from wireline phones, and 43% were made from wireless phones. King County has implemented Phase I and Phase II wireless E911 service with all of the wireless carriers who offer service within the county.

There are many VoIP providers offering service within King County. Some of these companies contacted the E911 Program Office prior to offering service to discuss E911, but many did not. Some of the VoIP providers previously offered telephone service as a local exchange carrier or competitive local exchange carrier, and are offering VoIP E911 service using their existing systems, with selective routing and the provision of call-back number and location information to the PSAPs. Other VoIP companies are new telephone service providers, and are unable to provide E911 service to their customers at this time. King County has installed separate E911 trunks at the PSAPs for these VoIP calls, so the PSAPs can identify any 911 calls received on those trunks as VoIP calls that require them to obtain location information from the caller. Those VoIP providers who have contacted King County have been provided with the telephone numbers associated with these VoIP E911 trunks to forward their customers' 911 calls to. However, many VoIP providers who are offering service here have not contacted our office to obtain the correct routing numbers, so they are currently forwarding their 911 calls to unverified ten-digit telephone numbers that they obtained from other sources. Unless VoIP providers contact our office, we have no way of knowing that they are providing service here in order to initiate contact with them for E911 coordination.

It is unknown what the volume of VoIP 911 calls is. At this point, it is not possible to distinguish VoIP calls from wireline calls for customers served

by the existing telephone companies. For the new VoIP companies, over the past few months, the PSAPs have started to receive several 911 calls per month from their customers. The PSAPs are gravely concerned about their ability to provide emergency services to these callers in the absence of any call-back or location information. The rules the Commission established in this proceeding have initiated the process through which this information will be provided to the PSAPs, and this action will improve public safety for VoIP customers. We appreciate that the VoIP providers are required to interface to the existing E911 networks, as this will significantly expedite the implementation process. The implementation of wireless E911 service required major upgrades to the E911 systems, including equipment replacement and upgrades at the PSAPs, and that delayed the implementation of that service by several years. Requiring VoIP providers to interface to the existing system will ensure the immediate delivery of this service to the public, while giving the states, E911 service providers, and VoIP providers time to develop and plan for future system upgrades to improve the service.

II. King County Responses to NPRM Questions

The following comments are submitted in response to specific questions asked by the Commission in this proceeding.

Paragraph 56

King County agrees with the Commission's view that VoIP service providers and other providers of new telecommunications technologies have a responsibility to ensure that public safety is protected. The public's expectation is that they can call 911 from any telephone, that their call will be routed to the correct PSAP, and that the PSAP will know where they are. This expectation has been documented by the numerous cases in which people have purchased VoIP service with the assumption that 911 works the same as it does from their wireline phone, only to discover that it does not work when they have an emergency. We support the steps the Commission has taken to ensure that E911 service is provided to VoIP customers.

Paragraph 57

King County supports the Commission's proposal that all terminal adapters and other equipment used in the provision of interconnected VoIP service sold after June 1, 2006 must be capable of providing location information automatically. Establishing a deadline will hasten the development of the automatic location feature. This function should include a method by which the locations generated by this equipment are compared against the E911 Master Street Address Guide to verify their accuracy. The Commission is authorized to establish these requirements under their responsibility to protect the safety of consumers who purchase these services.

Paragraph 58

The Commission should extend the VoIP obligations to providers of other VoIP services that are not currently covered by the adopted rules. Any VoIP service that enables users to terminate calls to the PSTN, regardless of the ability to receive incoming calls or the requirement of a broadband connection, should be required to provide E911 service to its customers. The public expectation is that any device that can make voice phone calls can call 911, and provide access to full E911 services.

Paragraph 59

In Washington State, the Utilities and Transportation Commission has established specific requirements for updating the E911 database for local exchange carriers and competitive local exchange carriers. For new customers or changes in location, the customer's information must be added to the E911 database within 24 hours. In addition, the National Emergency Number Association (NENA) has established standards for all aspects of E911 database maintenance. Since VoIP service is being offered as a competitive alternative to wireline voice service, and since the public expects all telephones to provide equal access to E911 service, VoIP providers should have to meet the same stringent requirements for E911 database maintenance.

Likewise, since they offer competitive voice service, VoIP providers should be required to meet the redundancy and reliability standards of E911

service. NENA has also established standards in this area, and would be a good resource for establishing standards for VoIP E911 service.

Regarding customer notification requirements, there are a vast number of VoIP service providers that used a variety of language to describe their E911 service, which has led to confusion and false expectations by the public. We suggest that standard notification language should be developed for use by all VoIP providers. The national 911 associations could be of assistance in the development of this standard language. That would ensure that all VoIP users, regardless of service provider, would receive the same clear information regarding E911 service issues. E911 is new to many of the VoIP service providers, yet creating the customer notification message has been tasked to employees within each company who may have no experience with 911, and may not fully understand how traditional E911 service works and how their company's service differs. The safety of the public is too important to leave the development of the E911 notifications in the hands of those who are not experts in the E911 field.

Paragraph 60

Since VoIP providers offer a competitive voice telephone service, they should be required to meet the same reporting obligations that have been established on their competitors, in this case being the wireless carriers. In addition, this would be a proficient method for the Commission to monitor the implementation and development of E911 service for VoIP.

Paragraph 61

State and local governments should have a role in the implementation of the E911 rules for VoIP. They should have the ability to establish standards for VoIP E911 service to ensure that the quality of E911 service that is provided to the public is consistent across all voice telephone services. E911 rules and standards have been established for wireline and wireless services. The public's expectation is that they will receive the same level of service when they call 911, regardless of the device or type of service they used to make the call. States must be allowed to establish these service standards to ensure that the public's expectation is met.

States should be allowed to establish requirements that all VoIP companies who offer voice telephone service to customers within the state must register or otherwise notify the state that they operate within its boundaries. Currently, a vast number of companies offer service within Washington State, but have not made contact with the E911 Offices to facilitate the coordination of E911 service. It is unknown where their customers' calls will be routed, because there has been no contact for them to find out where they should be sending 911 calls. The state and local governments have no way of knowing what VoIP companies offer service here, so they are unable to initiate contact with those companies.

Likewise, states and local governments should be authorized to establish 911 taxes on VoIP services that are consistent with the 911 taxes on wireline and wireless phones. All of these types of voice services are competitive and have access to E911 services, so their users should all be required to assist in funding that service. Especially since VoIP is projected to eventually replace wireline services, if 911 taxes are not established on VoIP, the funding of our E911 systems will be seriously jeopardized as wireline revenues continue to decline. The Commission could facilitate the states' ability to establish 911 taxes on VoIP services by defining a point of physical presence for VoIP service within each state's boundaries.

Paragraph 62

The Commission should adopt customer privacy protections for VoIP customer data that are consistent with the privacy protections for the customers of wireline and wireless telephone services. When a person makes a 911 call, they are asking for emergency assistance and therefore give implied permission for their personal information to be used for the purposes of providing emergency services. This should be consistent for the customers of all voice telephone services. Since they offer competitive services, the requirements for privacy protection should be the same for all providers.

Paragraph 63

King County supports the requirement that VoIP service should be available to persons with disabilities who use TTYs. Again, since VoIP

providers offer their service in competition with the wireline and wireless telecommunications providers, they should have to meet the same requirements as those companies. Persons with disabilities should have access to all of these types of services, so they have the freedom to choose which service best meets their needs.

III. Conclusion

We would like to thank the Commission for your continued support of E911 service, as shown by the rules you have established in this proceeding. Your work in E911 has resulted in great strides being taken in Washington State and throughout the nation on the deployment of E911 service for wireline and wireless phone users. Your actions in this proceeding with generate equally beneficial results for the users of VoIP service. We respectfully encourage the Commission to continue your efforts to ensure that E911 service is available to VoIP customers. The public has come to rely on this service for quick, easy access to emergency services, and it is critical that this service continue to be available nationwide for any telecommunications device that can place voice calls to the PSTN.

Respectfully submitted,

KING COUNTY E911 PROGRAM

Marlys R. Davis

E911 Program Manager
King County E911 Program Office
7300 Perimeter Road South, Room 129
Seattle, WA 98108-3848
(206)296-3911
marlys.davis@metrokc.gov